

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CASE NO.: 18-CR-129

IONEL MURESANU,

Defendant.

FINAL PRETRIAL hearing in the above-entitled  
matter, held before the Honorable J.P. Stadtmueller, on the  
14th day of August, 2018, commencing at 8:32 a.m. and  
concluding at 8:42 a.m.

A P P E A R A N C E S

United States Department of Justice  
Office of the U.S. Attorney  
Ms. Karine Moreno-Taxman  
517 East Wisconsin Avenue, Room 530  
Milwaukee, Wisconsin 53202  
Appeared on behalf of the Plaintiff.

Federal Defender Services of Wisconsin, Inc.  
Mr. Joshua D. Uller  
517 East Wisconsin Avenue, Room 182  
Milwaukee, Wisconsin 53202  
Appeared on behalf of the Defendant, also present.

Ms. Kate Maternowski, Clerk.  
Ms. Sheryl L. Stawski, Official Reporter.

1           T R A N S C R I P T   O F   P R O C E E D I N G S

2           (The proceedings commenced at 8:32 a.m.)

3           THE CLERK:   The Court calls United States versus Ionel  
4 Muresanu, Case Number 18-CR-129, for a final pretrial  
5 conference.

6           May I have appearances beginning with the Government,  
7 please.

8           MS. MORENO-TAXMAN:   Karine Moreno-Taxman appearing on  
9 behalf of the United States.   Present with me at counsel table  
10 is United States Secret Service Agent Zachary Hoalcraft.

11          Thank you, Your Honor.   Good morning.

12          MR. ULLER:   Good morning, Judge.

13          Mr. Muresanu appears with Joshua Uller.

14          THE COURT:   Thank you.

15          Good morning, Ms. Moreno-Taxman; and good morning to  
16 you, Mr. Hoalcraft; good morning to you, Mr. Uller; and good  
17 morning to you, Mr. Muresanu.

18          As Ms. Maternowski noted, this matter is before the  
19 Court this morning for a final pretrial conference, the case  
20 having been scheduled for a jury trial beginning next Monday.

21          Ms. Moreno-Taxman, are you prepared to proceed?

22          MS. MORENO-TAXMAN:   I am, Your Honor.

23          THE COURT:   Thank you.

24          Mr. Uller?

25          MR. ULLER:   We are, Your Honor.

1 THE COURT: Thank you.

2 This is the only case scheduled next week, so we will  
3 have a jury at 8:30; take probably an hour and a half or a  
4 little more to select a jury. We'll select a jury of 13; and  
5 if all 13 are present at the end of the case, Mr. Muresanu will  
6 randomly draw one of the jurors' names and that individual will  
7 be excused as the alternate.

8 The jurors will be permitted to take notes during the  
9 trial. And given the fact that the Government is entitled to 6  
10 strikes and the defense 10, we'll generally be working with a  
11 panel of 29 or 30 jurors. They will be randomized as they come  
12 into the courtroom so we'll proceed immediately with some  
13 identifying information as well as the Court's voir dire.

14 Strikes in this branch of the court are exercised as  
15 follows: The Government has six. They will exercise their  
16 first strike by drawing a line through the name of the juror  
17 from the master list. The list will then be circulated to  
18 counsel for the defendant who will exercise two strikes. The  
19 list will be returned to the Government for a second strike and  
20 then to the defense until each side has exercised their  
21 allotted strikes, meaning the Government will have the first  
22 and the last strike.

23 Mr. Uller, since Mr. Muresanu has elected to proceed  
24 to trial, I need for you to memorialize in your file -- not to  
25 be filed with the Court but memorialized -- all discussions

1 that you've had with your client with regard to disposition of  
2 this case short of the trial. That memorandum also needs to  
3 address the fact that should Mr. Muresanu be found guilty of  
4 one or both of the charges, he will not receive acceptance of  
5 responsibility credit under the U.S. Sentencing Guidelines.

6 Similarly, should Mr. Muresanu exercise his right to  
7 testify, the Court will be called upon in the event he's  
8 convicted of one or both of the charges to make a determination  
9 as to whether he made false testimony.

10 The combination of no acceptance of responsibility  
11 credit as well as potential enhancement for obstruction of  
12 justice through false testimony could result in a significant  
13 change in the sentencing posture.

14 And the reason that the Court requires that counsel  
15 memorialize this in their file is owing to the fact that having  
16 been a judge for more than 31 years, we've had multiple cases  
17 in which defendants have been found guilty and later complain  
18 that they were never advised of the sentencing ramifications  
19 having elected to proceed to trial or the sentencing  
20 ramifications with respect to the matter of having testified  
21 and the Court having found that their testimony was not  
22 truthful. So that needs to be documented in your file for  
23 posterity.

24 Ms. Moreno-Taxman, you should have all of your  
25 witnesses here on Monday. We will start at 8:30. There will

1 be a 15-minute break at 10:30. We'll go from 10:45 until  
2 12:45. There will be a break for lunch at 12:45 until 1:15,  
3 1:30. We'll be back in session until 3:30, a break again for  
4 15 minutes at 3:30, and back in session at 3:45.

5 I expect this case to be completed either at the end  
6 of the day on Monday or certainly Tuesday morning.

7 The jury instructions will be available to counsel on  
8 Friday afternoon after two o'clock. Our jury instruction  
9 conference next week will be very abbreviated so kindly review  
10 the Court's proposed instructions over the weekend because we  
11 will not have a lengthy jury instruction conference next week.

12 The witnesses in the case are to be sequestered. They  
13 may be stationed in Room 426 which is across the hall from the  
14 courtroom.

15 Ms. Moreno-Taxman, are there any other matters you  
16 wish to address this morning?

17 MS. MORENO-TAXMAN: No, Your Honor. The agent on this  
18 case will be assisting the defense -- United States counsel;  
19 and so although he will be a witness he will not be  
20 sequestered. I would request him not be sequestered.

21 THE COURT: All right. Thank you.

22 Mr. Uller, anything further?

23 MR. ULLER: Your Honor, I don't know if the Court  
24 wants to address this now. I would ask that we do address the  
25 motion that was filed at Docket 17 to exclude and then

1       supplemented yesterday docketed entry 24.

2               THE COURT: Well, as much as I would like to, first of  
3 all, your latest motion hasn't been responded to; and, second,  
4 most of these motions in limine need to be addressed in the  
5 context of the proof during the trial. So we'll address them  
6 as appropriate next week.

7               Anything further?

8               MS. MORENO-TAXMAN: Not from the United States, Your  
9 Honor.

10              MR. ULLER: No, Your Honor.

11              THE COURT: Very well.

12              The Court stands in recess until nine o'clock.

13              (Proceedings concluded at 8:42 a.m.)  
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1     STATE OF WISCONSIN     )  
                                   )   SS:  
2     MILWAUKEE COUNTY     )

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5                             I, SHERYL L. STAWSKI, a Registered  
6     Professional Reporter and Official Court Reporter, for the  
7     United States District Court, Eastern District of Wisconsin, do  
8     hereby certify that the above proceedings were reported by me  
9     on the 14th day of August, 2018, and reduced to writing under  
10    my personal direction and is a true, correct and complete  
11    transcription of my computer-aided transcription of my  
12    stenographic notes.

13  
14                             Dated at Milwaukee, Wisconsin, this 5th  
15    day of October, 2018.

16                             s/ Sheryl L. Stawski

17                             Sheryl L. Stawski  
18                             Official Court Reporter  
19                             United States District Court  
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